

R E S O L U T I O N

179-2003

HIPAA Policy Regarding Media Communications

WHEREAS, the Human Services Committee met in regular session on July 2, 2003 and reviewed request from the Health Department to approve their Media Communication Policy; and,

WHEREAS, the Health Insurance Portability & Accountability Act (HIPAA) requires the Health Department to draft new privacy and security policies in order to fulfill our duty to preserve the confidentiality and integrity of client Protected Health Information (PHI); and,

WHEREAS, the attached Media Communications Policy provides the necessary guidelines to be followed in order to meet the requirements of HIPAA; and,

WHEREAS, the Human Services Committee recommends approval; and,

NOW, THEREFORE, BE IT RESOLVED BY THIS BOARD OF COMMISSIONERS, THAT Grand Traverse County approves the attached Media Communication Policy, attached hereto and made part of this resolution, to preserve the confidentiality and integrity of the Grand Traverse County Health Department's Protected Health Information as required by the Health Insurance Portability & Accountability Act (HIPAA).

APPROVED: July 30, 2003

GRAND TRAVERSE COUNTY HEALTH DEPARTMENT

MEDIA COMMUNICATION POLICY

In keeping with the attached statement (found in the Grand Traverse County Policy & Procedure Brief 7700 – NEWS MEDIA POLICY) pertaining to the Privacy Act, generally all media requests for information pertaining to any individual's personal health condition, treatment, or reason for being a Health Department client should be referred to the Nursing Supervisor, Medical Director, or Health Officer. In general, the spokesperson for the Health Department to the media will be the Health Officer or, for specifically medical issues, the Medical Director. In their absence Kit Mikovitz, Deanna Kelly, or Tom Buss may take this role, in that order of succession.

However, a Public Health Nurse or Sanitarian may be the most appropriate person for a particular interviewer and thus may be in that position if designated so by one of the supervisors. The following general guidelines should be followed:

1. There should never be intentional evasion of the truth. When information cannot be released, the release should be refused with an explanation. The explanation should be general enough that it does not itself provide sensitive information ("I can't tell you anything about a person's sexually transmitted diseases").
2. Reporters are often in a hurry to fill news space and meet deadlines. Nevertheless, when approached by a reporter, it will always be appropriate to check with your supervisor, take time to collect the facts, and call the reporter back in a timely manner.
3. When information of general public interest is given to one news medium, it should be made available to all interested media on an equal basis. This may require simultaneous faxing, or in some situations holding a press conference.
4. When a reporter is developing a story on his or her own initiative, and information given is not "breaking news" of general interest, the county employee need not volunteer the same information to other media. If a second reporter seeks the same material before the first reporter's story is published, the Department will release the same information and immediately inform the first reporter of this development.
5. When information is released that potentially affects another organization (e.g. MDCH, a hospital, a school), that organization should be advised of the nature of the information given, as a matter of courtesy and cooperation. However, the Department's mandate to protect the public health supercedes a commitment to other such organizations.
6. If questioned by the media about the hospitalization status, condition, or name of a client's private physician, it is the policy of the Health Department to neither confirm nor deny this information. The Department spokesperson should share information about the disease itself, including risks and prevention, not information about an individual client.
7. As emphasized above, no information regarding the personal health condition of any individual, or treatment given, nor reason for becoming a Health Department client, should be given unless the Health Officer has specifically deemed release of this information to be necessary for the protection of the public health.